

FINAL REPORT OF THE
MARIJUANA POLICY REVIEW
PANEL ON THE
IMPLEMENTATION OF
INITIATIVE 75

December 4, 2007

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Executive Summary

Initiative 75 (I-75) was passed by Seattle voters in the September 16, 2003 primary election. Its passage resulted in the addition of a new section, 12A.20.060, to the Seattle Municipal Code (SMC). Subsection A stated that “[t]he Seattle Police Department and City Attorney’s Office shall make the investigation, arrest and prosecution of marijuana offenses, when the marijuana was intended for adult personal use, the City’s lowest law enforcement priority.” Subsection B called for the President of the City Council to appoint an eleven-member Marijuana Policy Review Panel “to assess and report on the effects of this ordinance.”

Working with a consultant, the Panel collected and analyzed data to address the following questions:

1. Was subsection A of Section 12A.20.060 of the Seattle Municipal Code implemented?
2. Did the implementation have an impact on public safety?
3. Did the implementation have an impact on public administration?
4. Did the implementation have an impact on public health?
5. Were there fiscal impacts associated with the implementation?

The Panel concluded that I-75 was clearly implemented in that it was enacted into law by the City Council. It appears that following the adoption of I-75, there were reductions in both the number of referrals of marijuana-related incidents from the Seattle Police Department to the City Attorney, and in the number of cases filed by the City Attorney that charged individuals with possession of marijuana. However, the Panel was unable to conclude definitively that these reductions were attributable to I-75’s passage.

Bearing in mind that the numbers of marijuana case referrals and filings were already small before I-75’s passage, the Panel also concluded that there was no evidence of any adverse effect of the implementation of I-75 in any of the substantive areas examined, including: (a) no evident increase in marijuana use among young people, (b) no evident increase in crime, and (c) no adverse impact on public health. The Panel did observe some evidence of arguably positive effects, assuming that the caseload reduction was caused by the passage of I-75: (a) fewer adults experiencing the consequences of involvement in the criminal justice system due to their personal use of marijuana; and (b) a small reduction in the amount of public safety resources dedicated to marijuana possession cases, accompanied by a corresponding slight increase in the availability of these resources for other public safety priorities.

The Panel makes the following recommendations to the Seattle City Council:

1. Let stand Ordinance Number 121509, Seattle Municipal Code Section 12A.20.060, Resolution 30648, and Ordinance Number 122025.¹
2. Revise the reporting criteria established by the Panel so that the Seattle City Attorney's Office shall provide the Council President spreadsheets listing all cases in which an individual was referred for misdemeanor possession of marijuana charges, and describing the disposition of each. These reports may, but need not, contain case numbers. The reports shall continue to monitor the race and gender of the subject of the marijuana case referrals and filings. The spreadsheets are to be produced on an annual basis on or before June 30 of the following year. The Council President shall determine the appropriate committee to review the reports and the means for making them available to the public for review.
3. Disband the Marijuana Policy Review Panel.

¹ Two Panel members voted against adoption of Recommendation 1.

Conclusions and Recommendations

Conclusions:

The following conclusions are evident from this study:

1. It is clear that I-75 was implemented, and that following its implementation there were reductions both in the number of Seattle Police Department marijuana incident referrals and in the number of Seattle City Attorney filings of marijuana charges, but it is impossible to say whether these reductions were related to I-75.
2. There is no evidence of any adverse effect of this implementation of I-75 in any of the substantive areas examined, including:
 - a. no evident increase in marijuana use among youth and young adults;
 - b. no evident increase in crime; and
 - c. no adverse impact on public health.
3. There is some evidence of arguably positive effects of the implementation of I-75, assuming that the caseload reduction was caused by the passage of I-75, in the following substantive areas examined:
 - a. fewer adults experiencing the consequences of involvement in the criminal justice system due to their personal use of marijuana; and
 - b. a small reduction in the amount of public safety resources dedicated to marijuana possession cases and a corresponding slight increase in availability of these resources for other public safety priorities.

Recommendations:

The Marijuana Policy Review Panel makes the following recommendations to the Seattle City Council:

1. Let stand Ordinance Number 121509, Seattle Municipal Code subsection 12A.20.060, Resolution 30648, and Ordinance Number 122025.¹⁶

¹⁶ Two Panel members voted against adoption of Recommendation 1.

2. Revise the reporting criteria established by the Panel so that the Seattle City Attorney's Office shall provide the Council President spreadsheets listing all cases in which an individual was referred for misdemeanor possession of marijuana charges, and describing the disposition of each. These reports may, but need not, contain case numbers. The reports shall continue to monitor the race and gender of the subject of the marijuana case referrals and filings. The spreadsheets are to be produced on an annual basis on or before June 30 of the following year. The Council President shall determine the appropriate committee to review the reports and the means for making them available to the public for review.
3. Disband the Marijuana Policy Review Panel.